

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 787

By: Sykes of the Senate

and

Roberts (Dustin) of the
House

COMMITTEE SUBSTITUTE

An Act relating to the State Dental Act; amending 59 O.S. 2011, Section 328.3, as last amended by Section 2, Chapter 229, O.S.L. 2015 (59 O.S. Supp. 2016, Section 328.3), which relates to definitions; adding definitions; amending Section 3, Chapter 270, O.S.L. 2012 (59 O.S. Supp. 2016, Section 328.15B), which relates to Executive Director authority; authorizing the Board of Dentistry to delegate certain duties to the Executive Director; amending Section 11, Chapter 229, O.S.L. 2015, as amended by Section 1, Chapter 113, O.S.L. 2016 (59 O.S. Supp. 2016, Section 328.23b), which relates to retired volunteer licenses; removing certain limitations; amending 59 O.S. 2011, Section 328.26, as last amended by Section 14, Chapter 229, O.S.L. 2015 (59 O.S. Supp. 2016, Section 328.26), which relates to dental intern permits; removing certain requirement; requiring certain approval to request certain permit; permitting dental student interns to perform certain functions under certain circumstances; amending 59 O.S. 2011, Section 328.27, as last amended by Section 15, Chapter 229, O.S.L. 2015 (59 O.S. Supp. 2016, Section 328.27), which relates to faculty licenses; specifying duration of certain license; providing renewal procedures; permitting certain courses to be taught in certain formats; requiring certain personnel in coursework; requiring certain

1 compliance; amending 59 O.S. 2011, Section 328.41, as
2 last amended by Section 22, Chapter 229, O.S.L. 2015
3 (59 O.S. Supp. 2016, Section 328.41), which relates
4 to renewal certificates; stipulating valid dates for
5 certain permits; clarifying language; and declaring
6 an emergency.

6 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

7 SECTION 1. AMENDATORY 59 O.S. 2011, Section 328.3, as
8 last amended by Section 2, Chapter 229, O.S.L. 2015 (59 O.S. Supp.
9 2016, Section 328.3), is amended to read as follows:

10 Section 328.3 As used in the State Dental Act, the following
11 words, phrases, or terms, unless the context otherwise indicates,
12 shall have the following meanings:

13 1. "Accredited dental college" means an institution whose
14 dental educational program is accredited by the Commission on Dental
15 Accreditation of the American Dental Association;

16 2. "Accredited dental hygiene program" means a dental hygiene
17 educational program which is accredited by the Commission on Dental
18 Accreditation of the American Dental Association;

19 3. "Accredited dental assisting program" means a dental
20 assisting program which is accredited by the Commission on Dental
21 Accreditation of the American Dental Association;

22 4. "Board" means the Board of Dentistry;
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1 5. "Certified dental assistant" means a dental assistant who
2 has earned and maintains current certified dental assistant
3 certification from the Dental Assisting National Board (DANB);

4 6. "Coronal polishing means a procedure limited to the removal
5 of plaque and stain from exposed tooth surfaces, utilizing a slow
6 speed hand piece with a rubber cup or brush and polishing agent and
7 is not prophylaxis. To be considered prophylaxis, examination for
8 calculus and scaling must be done by a hygienist or dentist;

9 7. "Deep sedation" means a drug-induced depression of
10 consciousness during which patients cannot be easily aroused but
11 respond purposefully following repeated or painful stimulation. The
12 ability to independently maintain ventilator function may be
13 impaired. Patients may require assistance in maintaining a patent
14 airway, and spontaneous ventilation may be inadequate.
15 Cardiovascular function is usually maintained;

16 8. "Dentistry" means the practice of dentistry in all of its
17 branches;

18 ~~8.~~ 9. "Dentist" means a graduate of an accredited dental
19 college who has been issued a license by the Board to practice
20 dentistry as defined in Section 328.19 of this title;

21 ~~9.~~ 10. "Dental ambulatory surgical center (DASC)" means a
22 facility that operates exclusively for the purpose of furnishing
23 outpatient surgical services to patients. A DASC shall have the
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1 same privileges and requirements as a dental office and additionally
2 must be an accredited facility by the appropriate entity;

3 ~~10.~~ 11. "Dental office" means an establishment owned and
4 operated by a dentist for the practice of dentistry, which may be
5 composed of reception rooms, business offices, private offices,
6 laboratories, and dental operating rooms where dental operations are
7 performed;

8 ~~11.~~ 12. "Dental hygienist" means an individual who has
9 fulfilled the educational requirements and is a graduate of an
10 accredited dental hygiene program and who has passed an examination
11 and has been issued a license by the Board and who is authorized to
12 practice dental hygiene as hereinafter defined;

13 ~~12.~~ 13. "Dental assistant or oral maxillofacial surgery
14 assistant" means an individual working for a dentist, under the
15 dentist's direct supervision or direct visual supervision, and
16 performing duties in the dental office or a treatment facility,
17 including the limited treatment of patients in accordance with the
18 provisions of the State Dental Act. A dental assistant or oral
19 maxillofacial surgery assistant may assist a dentist with the
20 patient; provided, this shall be done only under the direct
21 supervision or direct visual supervision and control of the dentist
22 and only in accordance with the educational requirements and rules
23 promulgated by the Board;

1 ~~13.~~ 14. "Dental laboratory" means a location, whether in a
2 dental office or not, where a dentist or a dental laboratory
3 technician performs dental laboratory technology;

4 ~~14.~~ 15. "Dental laboratory technician" means an individual
5 whose name is duly filed in the official records of the Board, which
6 authorizes the technician, upon the laboratory prescription of a
7 dentist, to perform dental laboratory technology, which services
8 must be rendered only to the prescribing dentist and not to the
9 public;

10 ~~15.~~ 16. "Dental laboratory technology" means using materials
11 and mechanical devices for the construction, reproduction or repair
12 of dental restorations, appliances or other devices to be worn in a
13 human mouth;

14 ~~16.~~ 17. "Dental specialty" means a specialized practice of a
15 branch of dentistry, recognized and defined by the American Dental
16 Association and the Board whose specialty program is accredited by
17 the Commission on Dental Accreditation (CODA);

18 ~~17.~~ 18. "Direct supervision" means the supervisory dentist is
19 in the dental office or treatment facility and, during the
20 appointment, personally examines the patient, diagnoses any
21 conditions to be treated, and authorizes the procedures to be
22 performed by a dental hygienist, dental assistant, or oral
23 maxillofacial surgery assistant. The supervising dentist is
24 continuously on site and physically present in the dental office or

1 treatment facility while the procedures are being performed and,
2 before dismissal of the patient, evaluates the results of the dental
3 treatment;

4 ~~18.~~ 19. "Direct visual supervision" means the supervisory
5 dentist has direct ongoing visual oversight which shall be
6 maintained at all times during any procedure authorized to be
7 performed by a dental assistant or an oral maxillofacial surgery
8 assistant;

9 ~~19.~~ 20. "Fellowship" means a program designed for post-
10 residency graduates to gain knowledge and experience in a
11 specialized field;

12 ~~20.~~ 21. "General anesthesia" means a drug-induced loss of
13 consciousness during which patients are not arousable, even by
14 painful stimulation. The ability to independently maintain
15 ventilator function is often impaired. Patients often require
16 assistance in maintaining a patent airway, and positive pressure
17 ventilation may be required because of depressed spontaneous
18 ventilation or drug-induced depression of neuromuscular function.
19 Cardiovascular function may be impaired;

20 22. "General supervision" means the supervisory dentist has
21 diagnosed any conditions to be treated within the past thirteen (13)
22 months, has personally authorized the procedures to be performed by
23 a dental hygienist, and will evaluate the results of the dental
24 treatment within a reasonable time as determined by the nature of

1 the procedures performed, the needs of the patient, and the
2 professional judgment of the supervisory dentist. General
3 supervision may only be used to supervise a hygienist and may not be
4 used to supervise an oral maxillofacial surgery assistant or dental
5 assistant;

6 ~~21.~~ 23. "Indirect supervision" means the supervisory dentist is
7 in the dental office or treatment facility and has personally
8 diagnosed any conditions to be treated, authorizes the procedures to
9 be performed by a dental hygienist, remains in the dental office or
10 treatment facility while the procedures are being performed, and
11 will evaluate the results of the dental treatment within a
12 reasonable time as determined by the nature of the procedures
13 performed, the needs of the patient, and the professional judgment
14 of the supervisory dentist. Indirect supervision may not be used
15 for an oral maxillofacial surgery assistant or a dental assistant;

16 ~~22.~~ 24. "Investigations" means an investigation proceeding,
17 authorized under Sections 328.15A and 328.43a of this title, to
18 investigate alleged violations of the State Dental Act or the rules
19 of the Board;

20 ~~23. "Mobile dental unit means a motor vehicle or trailer that~~
21 ~~contains dental equipment and is used to provide dental services;~~

22 ~~24.~~ 25. "Laboratory prescription" means a written description,
23 dated and signed by a dentist, of dental laboratory technology to be
24 performed by a dental laboratory technician;

1 ~~25.~~ 26. "Minimal sedation" means a minimally depressed level of
2 consciousness, produced by a pharmacological method, that retains
3 the patient's ability to independently and continuously maintain an
4 airway and respond normally to tactile stimulation and verbal
5 command. Although cognitive function and coordination may be
6 modestly impaired, ventilator and cardiovascular functions are
7 unaffected;

8 27. "Mobile dental unit" means a motor vehicle or trailer that
9 contains dental equipment and is used to provide dental services;

10 28. "Moderate sedation" means a drug-induced depression of
11 consciousness during which patients respond purposefully to verbal
12 commands, either alone or accompanied by light tactile stimulation.
13 No interventions are required to maintain a patent airway, and
14 spontaneous ventilation is adequate. Cardiovascular function is
15 usually maintained;

16 29. "Prophylaxis" means the removal of any and all calcareous
17 deposits, stains, accretions or concretions from the supragingival
18 and subgingival surfaces of human teeth, utilizing instrumentation
19 by scaler or periodontal curette on the crown and root surfaces of
20 human teeth including rotary or power driven instruments. This
21 procedure may only be performed by a dentist or dental hygienist;

22 ~~26.~~ 30. "Out-of-state dental hygienist" means a graduate of an
23 accredited dental hygienist program who holds a license to practice
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1 dental hygiene in another state but who is not licensed to practice
2 dental hygiene in this state;

3 ~~27.~~ 31. "Out-of-state dentist" means a graduate of an
4 accredited dental college who holds a license to practice dentistry
5 in another state but who is not licensed to practice dentistry in
6 this state;

7 ~~28.~~ 32. "Patient" or "patient of record" means an individual
8 who has given a medical history and has been examined and accepted
9 by a dentist for dental care;

10 ~~29.~~ 33. "Residencies" are programs designed for advanced
11 clinical and didactic training in general dentistry or other
12 specialties or other specialists at the post-doctoral level
13 recognized by the American Dental Association or the Board;

14 ~~30.~~ 34. "Supervision" means direct supervision, direct visual
15 supervision, indirect supervision or general supervision; and

16 ~~31.~~ 35. "Treatment facility" means:

- 17 a. a federal, tribal, state or local public health
18 facility,
- 19 b. a federal qualified health care facility (FQHC),
- 20 c. a private health facility,
- 21 d. a group home or residential care facility serving the
22 elderly, handicapped or juveniles,
- 23 e. a hospital or dental ambulatory surgery center (DASC),
- 24 f. a nursing home,

- g. a penal institution operated by or under contract with the federal or state government,
- h. a public or private school,
- i. a patient of record's private residence,
- j. a mobile dental unit,
- k. a dental college, dental program, dental hygiene program or dental assisting program accredited by the Commission on Dental Accreditation, or
- l. such other places as are authorized by the rules of the Board.

SECTION 2. AMENDATORY Section 3, Chapter 270, O.S.L. 2012 (59 O.S. Supp. 2016, Section 328.15B), is amended to read as follows:

Section 328.15B The Board of Dentistry shall employ an Executive Director. The Board may authorize or direct the Executive Director ~~shall be authorized to:~~

1. Employ and maintain an office staff;
2. Employ one or more investigators who may be certified peace officers who shall be commissioned with all the powers and authority of peace officers of this state;
3. Enter into contracts on behalf of the Board; and
4. Perform other duties on behalf of the Board as needed or directed.

1 SECTION 3. AMENDATORY Section 11, Chapter 229, O.S.L.
2 2015, as amended by Section 1, Chapter 113, O.S.L. 2016 (59 O.S.
3 Supp. 2016, Section 328.23b), is amended to read as follows:

4 Section 328.23b A dentist, dental hygienist or dental assistant
5 who has been licensed or permitted in good standing with the Board
6 in excess of twenty (20) years ~~who has reached the age of sixty-five~~
7 ~~(65) years or who has practiced for thirty (30) years~~ on a
8 consecutive basis may apply for a retired volunteer dentist, dental
9 hygienist or dental assistant license or permit on a yearly basis to
10 provide volunteer services. There shall be no continuing education
11 requirements. A retired dentist, dental hygienist or dental
12 assistant with a retired volunteer license or permit shall not
13 receive payment either directly or indirectly for work provided.

14 SECTION 4. AMENDATORY 59 O.S. 2011, Section 328.26, as
15 last amended by Section 14, Chapter 229, O.S.L. 2015 (59 O.S. Supp.
16 2016, Section 328.26), is amended to read as follows:

17 Section 328.26 A. The Board of Dentistry may, without
18 examination, issue a dental student intern, resident or fellowship
19 permit to a student or graduate of an approved dental school or
20 college, or a residency program approved by the Commission on Dental
21 Accreditation (CODA). ~~All persons requesting a residency permit~~
22 ~~shall provide proof of having passed a regional exam as provided by~~
23 ~~Section 328.21 of this title, and is otherwise qualified, Upon~~
24 meeting the qualifications and upon request approval of the dean or

1 the governing body of any public or private institution ~~for the~~
2 ~~graduate to serve as~~ any person may request a dental student intern,
3 resident or fellow ~~in the institution~~ permit to be issued from the
4 Board, with limited duties as defined in the permit. A fellowship
5 permit may only be given to a person currently participating in a
6 fellowship program affiliated with an accredited dental school.

7 B. A dental student intern, resident or fellowship permit shall
8 not be issued to any person whose license to practice dentistry in
9 this state or in another state has been suspended or revoked, or to
10 whom a license to practice dentistry has been refused.

11 C. A dental student intern, resident or fellowship permit shall
12 not authorize the holder to open an office for the private practice
13 of dentistry, or to receive compensation for the practice of
14 dentistry, except a salary paid by the federal government or this
15 state, or their subdivisions, or the public or private institution
16 where the holder of the dental intern, resident or fellowship permit
17 will be employed.

18 D. A dental student intern with a valid dental student intern
19 permit may work under the direct supervision of a licensed dentist
20 for compensation upon meeting the following criteria:

21 1. The dental student intern shall notify the Board of the
22 supervising dentist;
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1 2. A dental student intern, having finished the first year of
2 dental school, may assist in all duties of a dental assistant
3 pursuant to the administrative rules of the Board; and

4 3. A dental student intern, having finished the second year of
5 dental school, may assist in all duties permitted in paragraph 2 of
6 this subsection, radiation safety, coronal polishing and sealants.

7 E. A dental student intern, resident or fellowship permit shall
8 automatically expire when the permit holder is no longer
9 participating in the program offered by the college of dentistry,
10 the accredited dental college or the institution.

11 ~~E.~~ F. The issuance of a dental student intern, resident or
12 fellowship permit by the Board shall in no way be considered a
13 guarantee or predetermination of any person to receive a full
14 license issued by the Board.

15 ~~F.~~ G. Dental student intern or resident or fellowship permits
16 may be renewed annually at the request of the ~~Dean~~ dean of the
17 college or program director of the program approved by CODA and at
18 the discretion of the Board.

19 ~~G.~~ H. Students currently enrolled at the University ~~of~~ of
20 Oklahoma College ~~of~~ of Dentistry or an accredited dental hygiene or
21 dental assisting program shall be exempted from Sections 328.19 and
22 328.21 of this title while participating in an educational program
23 located at the University ~~of~~ of Oklahoma College ~~of~~ of Dentistry or
24 the clinic of an accredited dental hygiene or dental assisting

1 program. A licensed dentist, hygienist or faculty license holder
2 shall be physically present in the facility whenever students of
3 dentistry, dental hygiene or dental assisting are performing a
4 clinical dental procedure on patients.

5 SECTION 5. AMENDATORY 59 O.S. 2011, Section 328.27, as
6 last amended by Section 15, Chapter 229, O.S.L. 2015 (59 O.S. Supp.
7 2016, Section 328.27), is amended to read as follows:

8 Section 328.27 A. 1. The Board of Dentistry may, without a
9 clinical examination, upon presentation of satisfactory credentials,
10 including completion of all portions of the National Board Dental
11 Examination, the dental hygiene National Boards and both Part I and
12 Part II of the National Board examination for dentists, and under
13 such rules as the Board may promulgate, issue a faculty license or
14 faculty specialty license to an applicant who:

- 15 a. is a graduate of a school of dentistry approved by the
16 Board and is licensed to practice dentistry in another
17 state or country,
- 18 b. has graduated from an accredited dental program, or
- 19 c. successfully completes advanced training in a
20 specialty dental program approved by the Commission on
21 Dental Accreditation of the American Dental
22 Association, or
- 23 d. if applying for a hygiene faculty license, is a
24 graduate of an accredited dental hygiene program and

1 is licensed to practice dental hygiene in another
2 state.

3 2. A faculty license or faculty specialty license shall be
4 issued only upon the request and certification of the dean of an
5 accredited dental college or the program director of an accredited
6 dental hygiene program located in this state that the applicant is a
7 full-time member of the teaching staff of that college or program.

8 3. Within the first ~~year~~ two (2) years of employment, the
9 faculty license or faculty specialty license holder shall show proof
10 of passing an appropriate clinical board examination, as provided in
11 Section 328.21 of this title, recognized by the Board of Dentistry.

12 4. A faculty license or faculty specialty license shall be
13 valid for one (1) year and may be renewed by the Board at the
14 written request of the dean of an accredited dental program or the
15 director of an accredited dental hygiene program.

16 5. A faculty license or faculty specialty license shall
17 automatically expire when the license holder is no longer employed
18 as a faculty member at the institution that requested the license.

19 6. The holder of a faculty license or faculty specialty license
20 shall be entitled to perform services and procedures in the same
21 manner as a person holding a license to practice dentistry or dental
22 hygiene in this state, but all services and procedures performed by
23 the faculty license or faculty specialty license holder shall be
24 without compensation other than that received in salary from a

1 faculty position or through faculty practice as authorized by the
2 Board. The holder of a faculty license or faculty specialty license
3 shall be limited to practicing in the specialty area as designate on
4 the license. Such services and procedures shall be performed only
5 within the facilities of an accredited dental college or accredited
6 dental hygiene program or within the facilities designated by the
7 accredited dental college and teaching hospitals approved by the
8 Board.

9 B. The ~~Dean~~ dean of an accredited dental or hygiene program may
10 petition the Board to allow a ~~visiting~~ faculty member to have a
11 ~~visiting~~ limited faculty permit ~~not to exceed one (1) year~~, based on
12 a showing of criteria that the individual possesses specialty
13 knowledge in a specific area that would benefit the college or
14 program. The holder of a ~~visiting~~ limited faculty permit shall not
15 have privileges to perform procedures in the faculty practice at the
16 University ~~Of~~ of Oklahoma College of Dentistry, but may oversee the
17 student clinic. A limited faculty permit shall be valid for one (1)
18 year and may be renewed by the Board at the written request of the
19 dean of an accredited dental program or the director of an
20 accredited dental hygiene program.

21 C. Upon request of the ~~Dean~~ dean, the Board President may issue
22 a dentist or hygienist licensed in another state or country a
23 temporary license pursuant to Section 328.23 of this title for the
24 purpose of attending, presenting or participating in a seminar or

1 live training in dental techniques or dental anesthesia, given at
2 the University of Oklahoma College of Dentistry to licensed dentists
3 and hygienists for continuing education credits and students
4 enrolled in the University of Oklahoma College of Dentistry. A
5 temporary permit issued for this purpose shall not exceed seven (7)
6 days and may not be issued to the same person more than four (4)
7 times in a calendar year.

8 D. Upon the request of the Oklahoma Dental Association
9 President or the Oklahoma Dental Hygienist Association President,
10 the Board President may issue a dentist or a hygienist licensed in
11 another state a temporary license pursuant to Section 328.23 of this
12 title for the purpose of presenting or participating in live patient
13 demonstrations presented by the Oklahoma Dental Association or
14 Oklahoma Dental Hygienist Association or other professional
15 organizations approved by the Board at its annual meeting. A
16 temporary permit issued for this purpose shall not exceed four (4)
17 days per calendar year.

18 E. Courses for expanded duties for dental assistants pursuant
19 to the administrative rules of the Board may be taught in an online,
20 interactive online, in-classroom, lab or blended format. All
21 expanded-duty courses shall include a dentist or dental hygienist
22 that is employed full- or part-time by an educational program
23 approved by the Commission on Dental Accreditation and currently on
24 file with the Board. Courses offered pursuant to this subsection

1 shall meet all criteria in administrative rules approved by the
2 Board.

3 SECTION 6. AMENDATORY 59 O.S. 2011, Section 328.41, as
4 last amended by Section 22, Chapter 229, O.S.L. 2015 (59 O.S. Supp.
5 2016, Section 328.41), is amended to read as follows:

6 Section 328.41 A. 1. On or before the first day of January of
7 each year, every dentist, dental hygienist, dental assistant, oral
8 maxillofacial surgery assistant and other licensee or permit holders
9 previously licensed or permitted by the Board to practice in this
10 state, with the exception of those listed in paragraph 2 of this
11 subsection, shall submit a renewal application with information as
12 may be required by the Board, together with an annual renewal fee
13 established by the rules of the Board. Upon receipt of the annual
14 renewal fee, the Board shall issue a renewal certificate authorizing
15 the dentist, dental hygienist, dental assistant, or oral
16 maxillofacial surgery assistant to continue the practice of
17 dentistry or dental hygiene, respectively, in this state for a
18 period of one (1) year. Every license or permit issued by the Board
19 shall expire on December 31 of each year.

20 2. Beginning July 1, 2017, resident and fellowship permits
21 shall be valid from July 1st through June 30th of each year and
22 dental student intern permits shall be valid from August 1st through
23 July 31st of each year.

1 B. Continuing education requirements shall be due at the end of
2 each three-year period as follows:

3 1. Dentists shall complete sixty (60) hours;

4 2. Hygienists shall complete thirty (30) hours;

5 3. Oral maxillofacial surgery assistants shall complete twelve
6 (12) hours; and

7 4. Certified dental assistants shall complete twelve (12) hours
8 as required by DANB~~7~~.

9 C. Upon failure of a dentist, dental hygienist, dental
10 assistant, or oral maxillofacial surgery assistant to pay the annual
11 renewal fee within two (2) months after January 1, the Board shall
12 notify the dentist, dental hygienist, dental assistant, or oral
13 maxillofacial surgery assistant in writing by certified mail to the
14 last-known mailing address of the dentist, dental hygienist, dental
15 assistant, or oral maxillofacial surgery assistant as reflected in
16 the records of the Board.

17 D. Any dentist, dental hygienist, dental assistant, or oral
18 maxillofacial surgery assistant whose license or permit is
19 automatically canceled by reason of failure, neglect or refusal to
20 secure the renewal certificate may be reinstated by the Board at any
21 time within one (1) year from the date of the expiration of the
22 license, upon payment of the annual renewal fee and a penalty fee
23 established by the rules of the Board. If the dentist, dental
24 hygienist, dental assistant, or oral maxillofacial surgery assistant

1 does not apply for renewal of the license or permit and pay the
2 required fees within one (1) year after the license has expired,
3 then the dentist, dental hygienist, dental assistant, or oral
4 maxillofacial surgery assistant shall be required to file an
5 application for and take the examination or other requirements
6 provided for in the State Dental Act or the rules promulgated by the
7 Board before again commencing practice.

8 E. The Board, by rule, shall provide for the remittance of fees
9 otherwise required by the State Dental Act while a dentist or dental
10 hygienist is on active duty with any of the Armed Forces of the
11 United States.

12 F. In case of a lost or destroyed license or renewal
13 certificate and upon satisfactory proof of the loss or destruction
14 thereof, the Board may issue a duplicate, charging therefor a fee
15 established by the rules of the Board.

16 G. A dentist, dental hygienist, oral maxillofacial surgery
17 assistant or dental assistant that is in good standing and not under
18 investigation that notifies the Board in writing of a voluntary
19 nonrenewal of license or requests retirement status shall have a
20 right to renew or reinstate his or her license within five (5) years
21 from the date of notice. The Board may require any training or
22 continuing education requirements to be met prior to reinstatement.

23 H. A dentist, dental hygienist, oral maxillofacial dental
24 assistant or dental assistant that has not had an active license or

1 permit in excess of five (5) years shall be required to apply as a
2 new applicant.

3 I. Any application for a license or permit that has remained
4 inactive for more than one (1) year shall be closed.

5 SECTION 7. It being immediately necessary for the preservation
6 of the public peace, health or safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

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